

House File 2284 - Introduced

HOUSE FILE 2284
BY COMMITTEE ON JUDICIARY

(SUCCESSOR TO HSB 542)

A BILL FOR

1 An Act relating to the statute of limitations period for
2 executing judgments on claims for rent.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 615.1A, Code 2018, is amended to read as
2 follows:

3 **615.1A Execution on judgment — claim for rent.**

4 ~~After the expiration of a period of five years from the~~
5 ~~date of entry of judgment in an action on a claim for rent,~~
6 ~~exclusive of any time during which execution on the judgment~~
7 ~~was stayed pending a bankruptcy action or order of court,~~
8 ~~such judgment shall be null and void, all liens shall be~~
9 ~~extinguished, and no execution shall be issued. However, in In~~
10 ~~the event that the a judgment or the right to collect thereon~~
11 ~~in an action on a claim for rent is sold or otherwise assigned~~
12 ~~for value to a third party other than a state or federally~~
13 ~~chartered bank or credit union, such judgment shall be null~~
14 ~~and void, all liens shall be extinguished, and no execution~~
15 ~~shall be issued after the expiration of two years from the~~
16 ~~date of entry of the judgment, exclusive of any time during~~
17 ~~which execution on the judgment was stayed pending a bankruptcy~~
18 ~~action or order of court.~~

19 **EXPLANATION**

20 The inclusion of this explanation does not constitute agreement with
21 the explanation's substance by the members of the general assembly.

22 Current law provides a five-year statute of limitation
23 period to execute a judgment on a claim for rent, exclusive of
24 any time during which a court stayed the judgment pending a
25 bankruptcy action or order of the court, provided that if the
26 judgment or right to collect is sold or assigned for value to
27 third parties other than state or federally chartered banks or
28 credit unions, the statute of limitation period is two years.
29 At the end of the applicable statute of limitation period, all
30 liens shall extinguish and the judgment is void.

31 This bill eliminates the five-year statute of limitation
32 period that a person has to collect rent pursuant to a judgment
33 in an action on a claim for rent, but retains the two-year
34 statute of limitation period applicable when a person sells
35 or assigns for value a judgment or right to collect rent to a

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1 third party other than a state or federally chartered bank or
2 credit union.